

SECOND REGULAR SESSION

# SENATE BILL NO. 1152

94TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR CROWELL.

Read 1st time February 19, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5102S.021

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## AN ACT

To repeal section 163.172, RSMo, and to enact in lieu thereof one new section relating to educational personnel compensation, with an emergency clause.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 163.172, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 163.172, to read as follows:

163.172. 1. [In school year 1994-95 and thereafter until school year  
2 2006-07, the minimum teacher's salary shall be eighteen thousand  
3 dollars. Beginning in school year 2006-07, the minimum teacher's salary shall  
4 be twenty-two thousand dollars; in school year 2007-08, the minimum teacher's  
5 salary shall be twenty-three thousand dollars; in school year 2008-09, the  
6 minimum teacher's salary shall be twenty-four thousand dollars; in school year  
7 2009-10 and thereafter, the minimum teacher's salary shall be twenty-five  
8 thousand dollars. Beginning in the school year 1996-97 until school year 2006-07,  
9 for any full-time teacher with a master's degree and at least ten years' teaching  
10 experience in a public school or combination of public schools, the minimum  
11 salary shall be twenty-four thousand dollars. Beginning in the school year  
12 2006-07, for any full-time teacher with a master's degree in an academic teaching  
13 field and at least ten years' teaching experience in a public school or combination  
14 of public schools, the minimum salary shall be thirty thousand dollars; in the  
15 2007-08 school year such minimum salary shall be thirty-one thousand dollars;  
16 in the 2008-09 school year such minimum salary shall be thirty-two thousand  
17 dollars; and in the 2009-10 school year such minimum salary shall be thirty-three  
18 thousand dollars.

19 2. Beginning with the budget requests for fiscal year 1991,] **As used in**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 this section, the following terms mean:

21 (1) "Full-time", a teacher working under school district contract  
22 or for a state school for the severely handicapped, state school for the  
23 deaf, or state school for the blind for all school days and hours eligible  
24 for attendance of students;

25 (2) "Minimum salary supplement", the difference between the  
26 school district's salary schedule and the minimum salary set out in  
27 subdivision (1) of subsection 4 of this section, based on years of  
28 teaching experience and the most advanced academic degree held by  
29 the teacher;

30 (3) "Regular school term", a minimum of one hundred  
31 seventy-four days and one thousand forty-four hours of pupil  
32 attendance possible for students;

33 (4) "Salary", the salary amount which appears on the teacher's  
34 contract for the regular school term. Such term does not include  
35 supplements for extra duties, summer school, career ladder, or  
36 extensions of the contract year. The minimum salary supplement shall  
37 be included in the calculation of "final average salary" under  
38 subdivision (8) of section 169.010, RSMo;

39 (5) "Teacher", all certificated school district personnel who are  
40 eligible for tenure and are paid pursuant to the school district teacher  
41 salary schedule, including but not limited to teachers, librarians,  
42 counselors, and career education instructors.

43 2. Beginning with the 2008-2009 school year, the general  
44 assembly shall make an annual appropriation to the minimum salary  
45 fund for teachers established in subsection 3 of this section for the  
46 purpose of paying public school teacher minimum salary supplements  
47 in those districts meeting the qualifications established in subsection  
48 4 of this section. A participating school district shall be responsible  
49 only for the contracted amount of a teacher's salary. If the  
50 appropriation of the general assembly is insufficient to pay the total  
51 cost of all salary supplements, the minimum salary amounts of  
52 subsection 4 of this section shall be prorated until the amount  
53 appropriated is sufficient to make the payments to all participating  
54 school districts.

55 3. There is hereby created in the state treasury the "Minimum  
56 Salary Fund for Teachers" to fund the minimum teacher salaries

57 provided for in this section. The state treasurer shall be custodian of  
 58 the fund. In accordance with sections 30.170 and 30.180, RSMo, the  
 59 state treasurer may approve disbursements. Upon appropriation,  
 60 money in the fund shall be used solely for the administration of this  
 61 section. Notwithstanding the provisions of section 33.080, RSMo, to the  
 62 contrary, any moneys remaining in the fund at the end of the biennium  
 63 shall not revert to the credit of the general revenue fund. The state  
 64 treasurer shall invest moneys in the fund in the same manner as other  
 65 funds are invested. Any interest and moneys earned on such  
 66 investments shall be credited to the fund.

67 4. To make application and qualify to begin receiving funds  
 68 under subsection 1 of this section, a school district shall:

69 (1) Regardless of where a teacher is placed on a local salary  
 70 schedule, recognize all years of teacher experience, including but not  
 71 limited to employment in out-of-state schools, private schools, and  
 72 public charter schools:

73 Years experience	Bachelor's	Master's
74 1-3	\$31,000	\$33,000

75 The one-to-three year bracket amount shall be multiplied by the dollar  
 76 value modifier, as defined in section 163.031, for the district and in the  
 77 case of state-operated schools, the district in which the state-operated  
 78 school is located. In subsequent three-year brackets, the minimum  
 79 salary level times the dollar value modifier shall increase by the  
 80 following percentages of the one-to-three year bracket amount:

81 Years experience	Bachelor's	Master's
82 4-6	.0483	.0454
83 7-9	.0967	.0909
84 10-12	.1451	.1363
85 13-15	.1935	.1818
86 16-18	.2419	.2272
87 19-21	.2903	.2727
88 22-24	.3387	.3181
89 25-27	.3870	.3636
90 28+	.4354	.4090

91 (2) Be subject to a local effort requirement. The local effort shall  
 92 be calculated based on the percentage of expenditures from the  
 93 teachers and incidental funds attributable to the base salary,

94 retirement, and health care costs of the teachers covered under the  
 95 minimum salary supplement program. A district may vary from its  
 96 local effort percentage based on its combined unrestricted fund balance  
 97 as of June thirtieth of the previous year, as follows:

98 Fund Balance	Variance Allowed
99 75% or more	1%
100 74-50%	1.5%
101 50-30%	2%
102 30-20%	2.5%
103 20-15%	3%
104 15-10%	4%
105 Less than 10%	5%

106 The department shall deduct, in the next fiscal year, a corresponding  
 107 dollar amount of the minimum salary supplement for a district that  
 108 varies more than the allowable percentage from its local effort  
 109 percentage.

110 5. Future increases in minimum salaries established under  
 111 subsection 4 of this section shall be contingent upon decreases in total  
 112 state payments to all districts made under subsection 4 of this section.  
 113 In the second fiscal year following the fiscal year in which the state  
 114 cost of funding the minimum salary program is eighty-five percent or  
 115 less of the full funding cost for the first school year of the state funding  
 116 of minimum salaries for teachers under subsection 4 of this section, the  
 117 value of the base level of minimum salary, represented by the one-to-  
 118 three year bracket amount, shall be increased by five hundred dollars.

119 6. The commissioner of education shall present to the appropriate  
 120 committees of the general assembly information on the average Missouri teacher's  
 121 salary, regional average salary data, and national average salary data.

122 [3.] 7. All school salary information shall be public information.

123 [4. As used in this section, the term "salary" shall be defined as the salary  
 124 figure which appears on the teacher's contract and as determined by the local  
 125 school district's basic salary schedule and does not include supplements for extra  
 126 duties.

127 5. The minimum salary for any fully certificated teacher employed on a  
 128 less than full-time basis by a school district, state school for the severely  
 129 handicapped, the Missouri School for the Deaf, or the Missouri School for the  
 130 Blind shall be prorated to reflect the amounts provided in subsection 1 of this

131 section.]

132           **8. The state board of education shall issue rules and regulations**  
133 **as necessary for the efficient and effective implementation of this**  
134 **section. Any rule or portion of a rule, as that term is defined in section**  
135 **536.010, RSMo, that is created under the authority delegated in this**  
136 **section shall become effective only if it complies with and is subject to**  
137 **all of the provisions of chapter 536, RSMo, and, if applicable, section**  
138 **536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**  
139 **and if any of the powers vested with the general assembly pursuant to**  
140 **chapter 536, RSMo, to review, to delay the effective date, or to**  
141 **disapprove and annul a rule are subsequently held unconstitutional,**  
142 **then the grant of rulemaking authority and any rule proposed or**  
143 **adopted after August 28, 2008, shall be invalid and void.**

          Section B. Because immediate action is necessary to synchronize the  
2 requirements of section A of this act with the school calendar and state fiscal  
3 year, section A of this act is deemed necessary for the immediate preservation of  
4 the public health, welfare, peace, and safety, and is hereby declared to be an  
5 emergency act within the meaning of the constitution, and section A of this act  
6 shall be in full force and effect upon its passage and approval.

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